FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

C.A. NO.1062 OF 2007 IN F.A.ST.3628 OF 2007

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.R.A.Malandkar for the Applicants.

Mr.G.V. Murti M/s. Murti & Associates for the Respondent.

CORAM: A.S.OKA, J.
DATE : 21ST SEPTEMBER, 2007

P.C.

1. Heard counsel appearing for the applicant and the counsel for the respondent. The application is strongly opposed by the learned counsel for the respondent by contending that there is no sufficient cause. In view of the averments made in the application, sufficient cause is made out. Rule is made absolute in terms of prayer clause (a).

(A.S. OKA, J.)

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Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.R.A.Malandkar for the Appellants.

Mr.G.V. Murti M/s. Murti & Associates for the Respondent.

CORAM: A.S.OKA, J.
DATE : 21ST SEPTEMBER, 2007

P.C.

1. Admit. Printing is dispensed with.

2. Time of eight weeks is granted to remove all office objections. If all the office objections are not removed within the stipulated time, the Appeal will stand dismissed for want of prosecution without further reference to the Court.

3. Private paperbook along with Decree Form shall be filed by the Appellant within a period of one year from today. If compliance is not made within stipulated time, the Appeal shall stand dismissed for want of prosecution without further reference to the Court.

(A.S. OKA, J.)

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Mr.R.A.Malandkar for the Applicants.

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CORAM: A.S.OKA, J.
DATE : 21ST SEPTEMBER, 2007

P.C.

1. Heard learned counsel appearing for the parties. The appeal preferred by the respondent has been allowed by the Court of Small Causes at Bombay. Apart from setting aside the order impugned in the appeal, the applicants have been directed to refund the amount received by the applicants. Considering the nature of the findings recorded, no case is made out for grant of stay. There will be sufficient protection to the applicants if the respondent is directed to submit bank guarantee for the amount of refund.

2. Civil Application is disposed by passing the following order.

ORDER

1. Prayer for stay is rejected.

2. The applicants will refund the amount as directed by the impugned Judgment and Order to the respondent within a period of four weeks from the date on which the respondent furnishes a bank guarantee to this court for the amount of refund.

3. Parties to act on a copy of this order duly authenticated by the registry of this court.

(A.S. OKA, J.)